

NEW JERSEY BROWNFIELD REDEVELOPMENT TASK FORCE

POLICY & LEGISLATIVE COMMITTEE

MINUTES OF MEETING HELD TUESDAY, JANUARY 24, 2006
10:00 P.M. – 12:00 P.M.

DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
TRENTON, NEW JERSEY
OFFICE OF SMART GROWTH LIBRARY - 7TH FLOOR

Committee Members Present—

Leah Healey - Public Member – Committee Chair (teleconference)
Frances E. Hoffman – Office of Smart Growth, NJ Department of Community Affairs
Nicole Royle – NJ Economic Development Authority
James D. Simmons – NJ Commerce, Economic Growth and Tourism
Erin Simone – NJ Department of Agriculture

Committee Members Not Present—

Sally Dudley, Public Member – Environmental
Colleen Kokas –Site Remediation/Waste Management, NJ Department of Environmental Protection
Dennis Tofft, Public Member – Task Force Chairperson
William Mullen – Public Member – Labor and Trade

Other Attendees—

Lindsey Blount – Regional Planning Partnership
Dan Reynolds – Council to the Task Force
Lauri Sheppard – NJ Redevelopment Authority
Cynthia Weiser – Office of Smart Growth, NJ Department of Community Affairs

I. CALL TO ORDER & WELCOME—

Ms Healey welcomed the Committee and called the meeting to order at 10:08 a.m.

II. PUBLIC COMMENTS—None

III. ROLL CALL—Roll was called and a quorum was present.

IV. APPROVAL OF MINUTES—It was moved and seconded to delete two sentences of the minutes of the November 29, 05 Policy and Legislative Committee meeting. Mr. Simmons moved to accept the minutes of the 11/29/05 meeting as amended and Ms Royle seconded. Minutes of the 10/04/05 meeting will be presented to the committee for a vote at the next meeting.

V. REPORTS FROM COMMITTEE MEMBERS—

- o **Department of Environmental Protection** It was announced that the National Brownfields Association (NBA) is developing a white paper with the DEP. NBA has developed recommendations for brownfields redevelopment in New Jersey and is planning to meet with representatives of the State Legislature. Tim Consella, Chair of the Policy and Legislative Committee of the NJ Chapter of the NBA, will be attending our Policy and Legislative Committee meetings in the future.

- **Commerce, Economic Growth and Tourism Commission (Commerce)** The Task Force and its committees were encouraged to take a more proactive approach in identifying areas for new incentive programs and prepare legislation, Compiling a list of existing taxes that might be tapped as incentives for brownfields and identifying the needs of manufacturers and industrial parties are tasks that the communities might undertake.

It was also suggested that the Task Force engage the private, non-profit sectors, and public not already represented on the Task Force in other direct ways, NAIOP, NJBIA, municipalities and counties.

Evaluating the performance of state brownfields, addressing the issues of state environmental insurance, and addressing the needs of smaller sites—all of which are Task Force priorities—were noted as important.

- **Economic Development Authority:**

- An issue of concern regarding the HDSRF program is that if municipalities with Brownfield development areas applied for the maximum allowed each year (\$5million per municipality) the HDSRF fund would be exhausted, not even taking into consideration the current backlog of applications. There is a clause in the statute stipulating that the Task Force can set priorities. Circumstances need to be reviewed, in addition to the HDSRF application process in light of the new amendments.

It was noted that a meeting is scheduled at the DEP the first or second week in February to discuss these issues. It was suggested that EDA attend this meeting.

- A second issue with regard to the HDSRF program is that, due to the wording in the new amendment, municipalities are now receiving grants of 75% of the cost of environmental assessments of properties rather than the accustomed 100%. This problem is being evaluated by DEP.
- A question was raised as to how much the manufacturing and industrial sector is using the Hazardous Discharge Site Remediation Fund. EDA will provide reports to the Committee, but it may be difficult to determine the proposed land use of the properties being characterized.

Currently there is no data recorded that tracks the benefits to particular sectors. It was suggested that information on proposed end use be gathered by EDA and DEP on the grant application form.

- **NJ Redevelopment Authority:** The Environmental Performance Table program has approximately \$2 million remaining, but former brownfields projects supported by this program are currently in process.

The SiteMart has approximately 1,500 sites in different degrees of completeness. The SiteMart has suffered over the last several months due to lack of staff. Enhancements to the website are planned.

- **Data Day 2006:** Data Day is being held on March 31, 8:00 – 1:30, at the Trenton War memorial. It is expected that about 100 will attend. Some of the counties and municipalities have come up with some interesting data collection methods and booths will be offered at Data Day for demonstrations.

- **Department of Community Affairs:**

- The number of Smart Future Planning Grants is limited, with approximately \$600,000 available.

The new state appropriation for the Inventory and related Task Force activities is a one-time occurrence, and the Committee needs to discover a way to fund these activities on a permanent basis, whether as a budget line item or an appropriation.

Advertisement for additional staff cannot be placed until the appropriation is received.

The Committee commended Dr. Hoffman and staff for the efforts made to secure the funding. There was discussion regarding whether the monies would be better spent over a one-year or a two-year period, with additional funding applied for again next year.

In addition it was suggested that EPA might be a direct source of funding for the Task Force activities.

The Committee recommended starting the request for additional funds early in fiscal year 2006-2007. A more formal request to the Task Force will be made after further consideration. The Committee should make a presentation to the full Task Force explaining the effort, the cost, and the benefits of running the SiteMart, short-term and long-term. The Committee will collaborate with the Data and Marketing committee prior to the report.

VI. COMMITTEE BUSINESS:

- **Delays in disbursement of appropriation funds** harm the inventory and related Task Force activities. It was suggested that the DCA Commissioner's office be encouraged to do that they can to expedite the availability of funds.

Two topics for future presentations at the Task Force meetings were suggested:

- New DEP wastewater management regulations and their impact on brownfields redevelopment in Planning Areas 3, 4, and 5, and
- Community involvement proposed rules in the Site Remediation Division of DEP

- **Non-profits/faith-based organizations:** The BRIT is planning to reach out to the non-profit organizations interested in becoming involved in, or already engaged in Brownfields redevelopment. Plans are not definite at this time.

It was also suggested that there should be more active communication and collaboration with the Environmental Justice Community and the NJ Chapter of the National Brownfields Association. It was mentioned that the Environmental Justice Advisory Council representative had been contacted and would be attending Task Force meetings, and that the NBA would be sending a representative to Task Force and Committee meetings.

- **Brownfields to Greenfields:**
 - A workshop was set up for municipalities organized by the DCA Brownfields Program on behalf of the Task Force and in conjunction with the League of Municipalities. At that time, there was not sufficient interest to hold the session. Since the amendment was passed, the League expressed interest in setting up the training session.

In addition, DEP's Coastal Management Department will be convening a meeting to organize additional events on the

A suggestion was made that a League of Municipalities representative be invited to attend one of the Committee meetings to discuss the different types of programs they will be offering, or what they would be interested in sponsoring with the Task Force.

It was recommended that a proposal for an advisory committee to the Task Force be drafted and proposed to the Task Force.

- o **Legislation:** The Brownfields Inventory Bill, A1633/S2116, has passed

The Committee feels their attention should now be focused on following bills to determine how they impact brownfields:

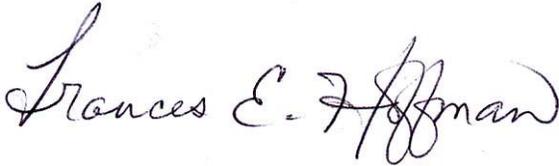
- **Bill A1271** (concerns requests for changes in certain environmental standards);
- **Bill A1912** (requires one half of natural resource damage payments to State be remitted to municipality where damage occurred); and
- **Bill A1987** (concerns standards for the groundwater remediation of contaminated sites)

It was recommended that Felix Brogan, an eminent domain specialist, who used to work in the State Senate be asked to attend one of the Policy and Legislative Committee meetings.

V. COMMITTEE MEMBERS COMMENTS—None

VI. ADJOURNMENT—The meeting was adjourned at 11:53 p.m.

Respectfully submitted,



Frances E. Hoffman
Secretary, New Jersey Brownfields Redevelopment Task Force

Prepared by Cynthia Weiser
04/27/06